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**To:** [Dinetz Christiansen, Rachel](#); [Alder Reid, Lauren \(EOIR\)](#); [All of BIA \(EOIR\)](#); [All of Court Administrators \(EOIR\)](#); [All of Judges \(EOIR\)](#); [All of OCIJ HDO \(EOIR\)](#); [Anderson, Jill \(EOIR\)](#); [Apolito, Ingrid \(EOIR\)](#); [Barnes, Jennifer \(EOIR\)](#); [Barry, Robert \(EOIR\)](#); [Burgie, Brea \(EOIR\)](#); [Cicolini, Pietro \(EOIR\)](#); [Cunningham, Jennifer L. \(EOIR\)](#); [David Vignol](#); [Dever, Jeanette](#); [Don Lewis](#); [List Admin, ProBono \(EOIR\)](#); [Ellen Garber](#); [Gray, Gracie \(EOIR\)](#); [Harris, Alethea \(EOIR\)](#); [Jennifer McGraw](#); [John Kelley \(john.kelley@calbar.ca.gov\)](#); [Kier, Diane \(EOIR\)](#); [Kuiken, Celia \(EOIR\)](#); [McDowell, Ben \(EOIR\)](#); [Michael Jordan](#); [Michael Zachary](#); [Mittelstadt, Matthew James. \(EOIR\)](#); [Nieves, Manuel A. \(EOIR\)](#); [Noferi, Mark \(EOIR\)](#); [Noonen, John](#); [O'Connell, Catherine](#); [Park, Jeannie \(EOIR\)](#); [Peter Shaw](#); [Plateski, Jennifer E \(jennifer.e.plateski@uscis.dhs.gov\)](#); [Ramirez, Sergio \(EOIR\)](#); [Rich, John \(EOIR\)](#); [Rimmer, Phillip \(EOIR\)](#); [Rodrigues, Paul A. \(EOIR\)](#); [Ruffino, Lou \(EOIR\)](#); [Silber, Rachel](#); [Vick, Lindsay \(EOIR\)](#); [Wade, Catherine](#); [Williams, Tiffany \(EOIR\)](#)  
**Subject:** Recently disciplined attorneys and updated list  
**Date:** Friday, February 09, 2018 4:14:17 PM  
**Attachments:** [Atty Discipline Chart Primary \(2\) .docx](#)

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## Recently disciplined attorneys and updated list

Please see the attached document for a list of currently disciplined practitioners as of February 9, 2018. **Please note the one practitioner who has been reinstated.** I would ask each Court Administrator to post this list in a conspicuous place in order to inform the public of the status of these practitioners. This list will be updated as orders are issued by the Board of Immigration Appeals or the Immigration Courts. Names of reinstated practitioners will be removed from the list after 6 months.

### The recently reinstated practitioner is:

**John Kerrington Lewis, Jr.** - On February 9, 2018, the Board issued an order reinstating Attorney Lewis after he completed his suspension of 1 year and 1 day based on his suspension in Pennsylvania for 1 year and 1 day for violating his probation in a previous disciplinary case.

**Confidential Discipline** - Since the last update, the EOIR Disciplinary Counsel has issued confidential discipline to 1 practitioner for the following misconduct: filing a frivolous brief on appeal.

failing to file a brief after indicating on the notice of appeal that a brief would be filed failing to file an adequate motion to continue; repeated failures to appear for scheduled hearings in a timely manner without good cause; and, filing an untimely motion to withdraw and then failing to appear.

EOIR's Attorney Discipline Program now has a dedicated e-mail address that EOIR employees may use to report misconduct by private immigration practitioners. The e-mail address is [EOIR.AttorneyDiscipline@EOIR.usdoj.gov](mailto:EOIR.AttorneyDiscipline@EOIR.usdoj.gov) and appears in the global address list as EOIR Attorney Discipline (EOIR).

Please note that pursuant to Chapter 10.9 of the Immigration Court Practice Manual and Chapter 11.10 of the Board of Immigration Appeals' Practice Manual, a disciplined practitioner is obligated to advise all clients whose cases are pending before the Immigration Court or the Board that he or she has been disciplined. The Immigration Court Practice Manual further states: "Once a practitioner has been expelled or suspended [by an order issued by the Board or an Adjudicating Official,] the practitioner's pending cases are deemed unrepresented. The Immigration Court rejects filings that are submitted by a practitioner after he or she has been expelled or suspended [by an order issued by the Board or an Adjudicating Official.]" (Emphasis added.) The Board's Practice Manual has a similar provision. Therefore, a disciplined practitioner has no authority to make any requests, including motions for continuances, in any of his or her former clients' cases,

and the Immigration Courts and the Board do not, and should not, deal with a disciplined practitioner concerning his or her former clients' cases.

Also please note that if a practitioner is suspended or expelled, he or she may resume representation of former clients only after the Board issues an order granting reinstatement. Furthermore, they are then required to enter a new Notice of Entry of Appearance form in each case, even if he or she was the attorney at the time that discipline was imposed. Immigration Court Practice Manual Ch. 10.10(d); Board's Practice Manual Ch. 11.10(b), 11.12(c); EOIR Rules of Professional Conduct, 8 C.F.R. § 1003.107(c).

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